IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DESI'S PIZZA, INC., DESI'S FAMOUS PIZZA, INC., DESI'S PIZZA WP, INC., D.F.P. FRANCHISING, INC., FRANCIS DESIDERIO and MARTIN DESIDERIO,	
Plaintiffs,	**Magistrate Judge Blewitt**
vs.	
CITY OF WILKES-BARRE, THOMAS D. McGROARTY, ANTHONY GEORGE and DAVID W. LUPAS,	
Defendants.	**NO. 3:CV 01-0480**

STIPULATION TO DISMISS

Plaintiffs Francis Desiderio, Martin Desiderio, Desi's Pizza, Inc., Desi's Famous Pizza, Inc., Desi's Pizza WP, Inc. and D.F.P. Franchising, Inc. and Defendants Thomas D. McGroarty and Anthony George, by and through their undersigned attorneys, hereby stipulate to voluntarily dismiss this action, with prejudice, pursuant to Rule 41 of the Federal Rules of Civil Procedure.

John G. Dean	Harry Kresky
Attorney for Defendants	Attorney for Plaintiffs

CERTIFICATION OF SERVICE

I, JOHN G. DEAN, hereby certify that I have caused to be served this day a true and correct copy of the stipulation to voluntarily dismiss via United States First Class Mail addressed as follows:

Harry Kresky, Esquire
250 W. 57 St.
Suite 2015
New York, NY 10107

s/John G. Dean
John G. Dean

DATED: 1/26/07